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*Attorney for Plaintiff State of Arizona*

**IN THE UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF TENNESSEE**

State of Tennessee, et al.,

**Plaintiff,**

No: 3:21-cv-00308-CEA-DCP

United States Department of Education, et al.,

**PLAINTIFF STATE OF ARIZONA'S  
UNOPPOSED MOTION TO DROP  
STATE OF ARIZONA AS A PARTY**

## Defendants.

Pursuant to Fed. R. Civ. P. 21 (“Rule 21”), the State of Arizona hereby moves this Court to drop it as a party from this action. The State of Arizona no longer wishes to continue litigating the above-captioned matter or any appeal arising from it. This Court has previously expressed that Rule 21 is the appropriate vehicle for such a motion, and that Rule 21 is “governed under a liberal standard.” *Cosby v. KPMG, LLP*, No. 3:16-CV-121-TAV-DCP, 2020 WL 3529659, at \*3 (E.D. Tenn. June 29, 2020) (citing *Thorn v. Bob Evans Farms, LLC*, No. 2:12-CV-768, 2013 WL 2456336, at \*2 (S.D. Ohio June 6, 2013)). Defendants and Co-Plaintiffs do not oppose this motion, and so it is made on just terms.

RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of March, 2023.

**BERGIN, FRAKES, SMALLEY &  
OBERHOLTZER, PLLC**

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2 By: /s/ Anthony R. Napolitano  
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10 **CERTIFICATE OF SERVICE**  
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12 On this 10<sup>th</sup> day of March, 2023, the foregoing was filed with the Eastern District  
13 of Tennessee's Court Clerk's Office using the CM/ECF System for filing, which will  
14 provide a Notice of Electronic Filing to all CM/ECF registrants.  
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